

**WEST HARTFORD TOWN COUNCIL MEETING
FEBRUARY 14, 2017
LEGISLATIVE CHAMBER**

ITEM #1 - MEETING CALLED TO ORDER AT 7:31 P.M.

President Cantor: Meeting called to order. We're going to start with the Pledge of Allegiance.

ITEM #2 - PLEDGE OF ALLEGIANCE

President Cantor: Thank you. Before we go further with the roll call, I just wanted to make a statement. Okay. Last time we met was January 24th. Since that meeting, much has transpired nationally and locally. Of primary importance is the Governor's Budget that came out at the end of last week and this impact it will have on our budget and our town and we're going to talk about that later during the Town Manager's portion of the meeting, a little update. But I wanted to take a few minutes to address some talk about a petition that was circulating on a Sanctuary City and many calls and emails and conversations that I've had with members of our community that have shared their concerns about friends, neighbors, and fellow residents that are immigrants. As I have stated before and I will state again, let me be as clear as possible. West Hartford is a welcoming, caring, and inclusive town. We have and continue to embrace all members of our community. We take all petitions seriously or we have not received a formal petition but there was notice of, that we had heard that there was a petition being circulated. I've given this serious thought and done research into the designation requested in the, in this petition and the requests that we've gotten, but here are the facts. There is no legal definition of a Sanctuary City. There are both positive and negative connotations to this term. And the most important is that no behavior or actions by school staff, town staff, or our police department would change as a result of such a designation. It would only cause additional scrutiny that is not in the best interest of members of our community and our community as a whole. Our schools are led by an administration that cares about all of our students and families and are filled with professional and passionate educators that serve every single child. Our Chief of Police has been a leader and a resource for our diverse community. Our Police Department values and protects the constitutional and civil rights of all of our residents and visitors. It is very important to keep in mind that the Town of West Hartford generally and the West Hartford Police Department in particular are guided in our dealing with our community by something called The Trust Act that was, that became State law in 2013, Connecticut State law, and addressed, this addresses detainee protocol. It was one of the first laws in the country to include policies that are welcomed by the immigrant community. We abide by the provisions of The Trust Act and support its reasonable and wholistic approach to dealing with our immigrant population. In summary, our town administration and elected leadership are committed to remaining a welcoming, inclusive, and diverse community that serves all of our residents fairly and respectfully. And I also am issuing this Proclamation, Town of West Hartford. WHEREAS America's population has grown because of the immigrants and refugees that have come here from around the world; and WHEREAS the inscription on our State, Statue of Liberty reads, "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp

beside the golden door,” meaning all are welcome regardless of race, religion, creed, country of origin, or sexual orientation; and WHEREAS we all desire safe communities and understand that reasonable, constitutional, and humane procedures to assure our country’s safety are necessary; and WHEREAS the promise of refuge and opportunity strengthen America in the face of global threats; and WHEREAS America is morally and economically stronger because of immigrants that have made this country their home; now THEREFORE be it resolved that as Mayor of the Town of West Hartford, I proudly celebrate being a diverse and welcoming community that affirms the fundamental value of respect for our fellow citizens and treasures the values that provide a better life for those seeking safety and refuge and a place in the great American dream. Shari J. Cantor. Okay. Now roll call, Ms. Labrot.

ITEM #3 - ROLL CALL: PRESENT WERE COUNCILORS BARNES, CANTOR, CASPERSON, DAVIDOFF, DODGE, HALL, KERRIGAN, WENOGRAD, AND WILLIAMS.

President Cantor: Okay. Number four, Mr. Davidoff.

ITEM #4 - APPROVAL OF MINUTES: RECEIVED

Vice President Davidoff: Thank you, Madam Mayor. I move approval of the Minutes of the Town Council Meeting of 1/24/2017 as well as the Public Hearing on 1445 New Britain Avenue of 1/24/2017.

Councilor Kerrigan: Second.

President Cantor: Motion’s been made and seconded. All those in favor?

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Number five is Public Forum.

ITEM #5 - PUBLIC FORUM: NO ONE SPOKE

President Cantor: This is the section of our Town Council Meeting that you can speak to something that’s been put on the Agenda that is not the subject of a public hearing. I don’t know if there’s...okay. Is there anybody that would like to speak to something that was put on the Agenda or is not a part of a public comment, hearing? All right, number six, Mr. Davidoff.

ITEM #6 - CONSIDERATION OF CONSENT CALENDAR: ITEMS 14-21 TO RECEIVE

Vice President Davidoff: Thank you, Madam Mayor. I move that we place items 14-21 on the Consent Calendar.

Councilor Kerrigan: Second.

President Cantor: Motion’s been made and seconded. All those in favor?

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Number seven, Mr. Davidoff.

UNFINISHED BUSINESS:

**ITEM #7 - RESOLUTION APPROVING THE SALE OF LAND AT THE
INTERSECTION OF SOUTH STREET AND SOUTHWOOD DRIVE:**

ADOPTED, 9-0

WHEREAS, the Town of West Hartford owns real property located at the Southeast corner of the intersection of South Street and Southwood Drive, in the Town of West Hartford;

WHEREAS, under West Hartford Charter, Ch. VI, §2(f), West Hartford may convey of any parcel of real property by a two-thirds majority of the Town Council's membership, and only after the public has been given a reasonable opportunity to comment on any proposed disposition;

WHEREAS, the Town of West Hartford would benefit by this parcel of real property located at the Southeast corner of the intersection of South Street and Southwood Drive being added to the tax assessor's rolls; and

WHEREAS, the purchaser, Mr. David Chenail, who owns the property immediately south of the parcel to be conveyed, is the only person that could make a meaningful use of the parcel of real property located at the Southeast corner of the intersection of South Street and Southwood Drive.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD hereby authorizes the West Hartford Town Manager to execute any and all documents necessary to convey the real property located at the Southeast corner of the intersection of South Street and Southwood Drive to Mr. David Chenail for the purpose of maintaining said property as a public park or open space in perpetuity, in exchange for \$10,000, and a permanent easement for the purpose of maintaining a safe and unobstructed sight line for traffic exiting Southwood Drive onto South Street.

Vice President Davidoff: Thank you, Madam Mayor. I move the adoption of a Resolution Approving the Sale of Land at the Intersection of South Street and Southwood Drive.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. Mr. Van Winkle.

Mr. Van Winkle: Yes, thank you, Mayor. A resident, a business on South Street approached the Town seeing whether we would sell a small parcel of land that was left over from the redevelopment of the southeast corner of town in the 1970s. The land has no particular use to anyone but an abutting property owner, and he offered the Town \$10,000 and agreed to maintain the property as a green entranceway to the residential neighborhood that's there and keep it safe and an unobstructed sightline for traffic. So this went to the TPZ and was approved by them unanimously, and it's now before you tonight.

President Cantor: Thank you, Mr. Van Winkle? Any comments or questions? Okay. Again, this was the subject of a public hearing prior to this meeting. So we roll call, right? Roll call? Yes. Okay, a roll call vote.

Councilors Barnes, Cantor, Casperson, Davidoff, Dodge, Hall, Kerrigan, Wenograd, and Williams voted YES

Ms. Labrot: It's unanimous.

President Cantor: Thank you. Congratulations. Tell your dad. Okay. Number eight, Mr. Davidoff.

NEW BUSINESS:

ITEM #8 - ORDINANCE ESTABLISHING DEFINITIONS FOR AND PERMITTING OF "FOOD TRUCKS AND FOOD TRUCK PARKS"

SET FOR PUBLIC HEARING ON MARCH 28, 2017 AT 6:30 PM AND REFERRED TO TPZ AND CRCOG.

(See Attachment A)

Vice President Davidoff: Thank you, Madam Mayor, an Ordinance Establishing Definitions for and Permitting of "Food Trucks and Food Truck Parks". I move we set for public hearing on 3/28/17 at 6:30 in the evening in the Legislature Chamber. I also move that we refer this to TPZ and CRCOG.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. All those in favor?

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Number nine, Mr. Davidoff.

ITEM # 9 - RESOLUTION AUTHORIZING THE TOWN MANAGER TO COMPLETE ALL NECESSARY ACTIONS ASSOCIATED WITH THE FFY 2016 STATE HOMELAND SECURITY GRANT PROGRAM

ADOPTED, 9-0.

Whereas, be it resolved that the Town of West Hartford may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

Be it further resolved, that Ronald Van Winkle, Town Manager of the Town of West Hartford is authorized and directed to execute and deliver any and all documents on behalf of the West Hartford Town Council and to and perform all acts and things which he deems to be necessary or

appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

Vice President Davidoff: Thank you, Madam Mayor. I move the adoption of a Resolution Authorizing the Town Manager to Complete all Necessary Actions Associated with the FFY 2016 State Homeland Security Grant Program.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. Mr. Van Winkle?

Mr. Van Winkle: Yeah, the State's sometimes a funny organization. Some days they require that I get your permission to sign a Grant that comes to the town. Some days they don't require it. In this case, this is a Grant that we've been receiving over the last few years, and this Resolution authorizes me to sign that Grant, something we've done for the last few years.

President Cantor: Thank you. Any questions for the Town Manager? No. All those in favor? Councilors: Aye.

President Cantor: All those opposed? Motion carries. Number 10, Mr. Van Winkle, and I'm sure we are, are going to be talking about some news that we received the end of last week.

ITEM #10 - REPORTS OF TOWN MANAGER

Mr. Van Winkle: Yes.

President Cantor: We are, are really shocked by the budget for the Governor and the impact that it, as we analyzed, the impact that it had as we dug into the numbers, West Hartford and actually all, many of our neighboring communities, positive and negative. So I would like you to just update people where we are and, and what our plan is going forward, too.

Mr. Van Winkle: Yes. Thank you, Mayor. Yeah. Last Wednesday, the Governor after signalling for a couple of weeks that he was going to do something different, delivered his budget message, and it surprised us pretty dramatically. It cut over \$14 million of State funds that we get for our schools for our town out of the State budget. \$14 million is a lot of money, even in a big government like us, and we hadn't anticipated that at all. We thought that he was going to make some adjustments, but we have not anticipated that he would make an adjustment that large. It's only been a week. Nearly everything else we were working on got dropped, and we've been trying to (a) figure out what that number was, I feel pretty confident where we are with our estimate of the impact on us, and how he changed the education cost sharing formula that has been with us since the late 1980s, never fully funded. As you know, we were only 37 percent funded under the old formula and some towns are more than 100 percent funded under that formula. So the old formula and the equity of it seemed to be not acceptable. He's developed a new formula based on similar measures that we had in the old formula but with different rates that has dramatically changed the allocation of those dollars, shifting dollars away from many small towns, many towns who have higher wealth, and West Hartford in particular. We lost over \$14 million of education money, the largest dollar reduction in the State of Connecticut except for one other community. You know, and that's an extraordinary statement,

but there are towns who lost, small towns who lost State grants that are a substantial percentage of their smaller budgets. So we have begun a process of multiple meetings with Staff. We are in the budget season. We've been working on the budget since late fall, and I am now doing meetings with each department, walking through right now, which is just a roll forward kind of budget, and trying to understand, you know, what we might be able to do. I just am concerned that with the size of the impact on the Town of West Hartford that we would have to make some fairly draconian cuts to our budgets to get us back to what might be an acceptable tax increase. So we have our work cut out. The Town Manager will present his budget on March 8th, only three weeks away, and we will, we will work hard to bring you a budget. I don't believe the legislature is going to be able to answer the questions of where we will go with the Governor's budget, what, what they will adjust in it. Historically, the Governor always proposes a budget and the legislature disposes, they change it. They make it fit what they're looking to do. So in our last year's budget, we adopted our budget in April and the legislature adopted their budget in June and they gave us more money, which was always nice. This year, we're going to still, by our Charter, have to adopt our budget in April. I doubt that the legislature will get to a Resolution as how they're going to handle these State Grants to localities. And we may run into the summer, I don't know. So it's going to be an interesting problem for me as I present a budget and then an interesting problem for us all as we try to figure out, all right, what're we going to assume about these changes, and how can we change our spending to make sure we have the smallest impact on our community. So I'd be glad to answer questions about that process, and I would just say to you that it's been a week. We've been buried in charts and data and information. Representative Fleischmann just recently just sent us a bunch of spreadsheets from the State. We're still seeking the algorithm that they used to distribute the money and I'm sure we'll be able to get that and so we can look and understand how one community ended up with more money and we ended up with less. And so there'll be a lot more to come and we'll be, I think Finance and Budget's going to meet quite often, trying to figure this out.

President Cantor: Right. And we did have a, we were both at CCM this morning, which is Connecticut Conference of Municipalities, and there was a talk of, that this is a concern to 130 or more towns, right...

Mr. Van Winkle: Yes.

President Cantor: ...or communities and that there's a real concern that, on how, and, and CCM has models, alternative models that they really are encouraging their legislators, the legislators of many communities to look at and support. But the bottom line is there will be a tax increase. The question is does it come in property taxes being pushed to different communities on different levels or is it a strategic tax increase on franchise tax and sales tax that CCM had recommended or some other, you know, some other ideas, which are also being floated. And I will say the Governor said no idea is off the table. They're, this is a, I think it was provocative and shocking, but there's a, and everybody that I've talked to, legislators and any staff that I've had the opportunity, and I caught Mr. Barnes as he was leaving the, not you, as he was leaving CCM. But this is the start of a conversation and it's a, the, largely driven by unsustainable costs that have been inherited in the State but also added on and added on and added on without the necessary growth so...

Mr. Van Winkle: And I, I could just add Secretary Barnes, the Budget Chief for the State of Connecticut, spoke at that meeting this morning, and as he was speaking, he was talking about the impact on towns and he started talking about West Hartford in his speech. And I thought, I don't want this to happen and he talked about this incredibly wonderful community we have and, you know, how well we have done and, and the quality of our community, our services, you name it. And he, and I'm paraphrasing here, he suggested that the impact on West Hartford was something they needed to look at as West Hartford and other communities seem to be unduly affected by the Governor's change. So I thought, thank you. That was good. So we'll see.

President Cantor: Yeah. And it was good for us to hear, but I'm sure every community felt that that this is the case for them, too.

Mr. Van Winkle: Yes.

President Cantor: But I, it was, it was a welcome acknowledgement that we have been significantly impacted by this, this budget. So I'm sure there are questions. So Mrs. Hall?

Councilor Hall: Thank you, Mayor. I was just wondering if, for our audience, you could kind of put in perspective a little bit, probably not everybody is as familiar with the size of the town's budget and what a potential, you know, possible budget impact of \$24 million means. That's how many teachers? That's how many firefighters? That's how many police officers?

Mr. Van Winkle: Well, it's complex, and I just want to say it's always complex because, first of all, we're talking about the State cutting \$14 million. But we have labor contracts that have adjustments in them. We have contractor contracts and we, we know about the increases that the Metropolitan District Commission has told us that they're going, they have levied on us. We have additional contributions to pension plans, to write them. So even without the State, we were looking at some challenges, but they were challenges I think we, we could deal with. So, you know, as we look at our spending, State reductions, local expense increases, we're north of \$20 million of need, of hole that we don't have funds for. And that's approaching a 10 percent tax increase. Again, by the 8th I'll have a specific answer to that question, but we, we don't do those kind of tax increases. I mean, you've been staying within 2 and 3 percent for the last several years, doing a good job trying to control our spending, and so this is just extraordinary. And so it's. It's serious my guess is, but we will know, we will have more specific information as we move forward.

President Cantor: Thank you, Mrs. Hall. But also we're going to have, you're going to have to, because there's this huge gap, we've talked about you providing some options and some points that we, because we don't know where it's going to end so we're going to have to have discussions of...

Mr. Van Winkle: Anybody who was with us, Council members or even if you're residents of the community, remember 2008 we had a significant recession and we were severely impacted. We lost substantial revenues at that time and made a number of adjustments, reopened contracts with unions, did all those things. So unfortunately, I only have this much time to get to some of those things, but those are all things that will be on our radar to set and figure out, all right, can we do this? Can we do this? We need, we need to do these things all over again. And so anybody who has a thought in the community or the Council about, you know, what we could do to reduce

spending in West Hartford would be welcome. I'm always willing to listen to those kind of comments and see whether we can work that into our budget so...

President Cantor: And one other thing that I'd like you to talk about is we, we'll be scheduling public hearings when you deliver your budget, so we're going to have to talk about dates of those and we'll nail those down. But we also, in addition to just receiving comment, we need to engage in conversation and education with our community and we're also going to have some Town Hall-type meetings potentially that we've talked about and how to address this, right?

Mr. Van Winkle: The Mayor suggested we do a Town Hall meeting again. We did those in 2008. We filled our auditorium. The Superintendent and I made a presentation and then the Council took comments and questions from the public. You know, there's a small difference between then and now as someone pointed out to me today. He said, we were developing answers to the problem in 2008. We're having a hard time coming up with answers with something this large. So, but again, public input's always a valuable thing and it's important for us to hear. And this isn't just a budget decision this year. This is a very important budget decision. It will affect our community more than we would hope to ever affect them so.

President Cantor: Thank you. Any other questions, comments? Okay. Announcements.

ITEM #11 - ANNOUNCEMENTS

President Cantor: First of all, Happy Valentine's Day. Why are you all here? Month-long food collection at Playhouse on Park. Non-perishable food items will be collected; rice, pasta, canned soup, canned vegetables, beans, cereal, oatmeal, peanut butter and jelly, tuna, canned meat, canned fruit, canned meals. Please drop them off at the Playhouse on Park, and they will be delivered to the West Hartford Food Pantry. West Hartford Girls Basketball Scholarship. West Hartford Girls Basketball Scholarship is offering an award between \$500 and \$1,000 depending on the number of recipients, maximum of three awards. Please submit a 250-300 word essay on how West Hartford Girls Basketball League has made an impact on your life. I think you should do that, Chris. No. The due date is February 17, 2017. It was never my sport but anyway. Let's see...and, oh, you will be notified prior to March 12th. Special events. Blood drive at Town Hall, Monday, February 27th, 12-5:30. You will receive a \$5 gift card. This is for cancer patients, those undergoing surgery, accident victims, and many other patients. Please call 1-800-RED-CROSS for an appointment and that will be right here in the Town Hall. Free Diabetes Self-Management Workshop is offering a Self-Management Workshop for people with type II diabetes and their caregivers. The series runs six weeks on Tuesdays, 10-12:30, March 7th to April 11th at the West Hartford Senior Center, 15 Starkel Road. To register, please call West Hartford/Bloomfield Health District at (860)561-7900. And then AARP income tax preparation, Thursday, February 16th through April 6th. Free IRS-certified tax assistance program is available at Elmwood Senior Center on Thursdays now through April 6th. Low to moderate income taxpayers, especially those 60 and older are encouraged to make an appointment. Please call (860) 561-8180. Tales from the Table, Saturday, February 25th, 6-8. Noah Webster House and West Hartford Historical Society is pleased to offer a new dining experience that brings real history straight to your table. It will take place on February 25, 2017, with seatings at 6 and 8. Seating is limited so buy your tickets today at www.noahwebsterhouse.org. Tickets are \$35 for

members and \$40 for non-members. Effective Strategies for Autism Parenting, Thursday, March 9th, 6:30-9 p.m. Family Resource and Development Center presents Effective Strategies for Autism Parenting with Laura D'Angelo at 41 North Main Street, Suite 303. Workshop is \$50 for parents, \$75 per couple. Seating is limited. RSVP directly to Laura at (860) 245-1399. I also want to congratulate the Hall High Cross Country Team for finishing number one in the State. I think it was the first time in over 50 years or something that they finished, so we're very proud of them. Is there any other announcements?

Councilor Casperson: Me.

President Cantor: Yes, Mrs. Casperson.

Councilor Casperson: Thank you, Mayor. Eugene O'Neill, a Moon for the Misbegotten, the classic and moving drama is the next show in Playhouse on Park's main stage series. Opening night is this Friday, February 17th, at 8 p.m. with a complimentary pre-performance wine and cheese reception at 7. A Moon for the Misbegotten runs through March 5th. Tickets are on sale now ranging from \$30-\$40. For tickets or more information, call our box office at (860) 523-5900 ext. 10 or visit www.playhouseonpark.org. Playhouse on Park is located at 244 Park Road, West Hartford.

President Cantor: Thank you, thank you, Mrs. Casperson. Reports from Corporation Counsel.

ITEM #12 - REPORTS OF CORPORATION COUNSEL

Mr. Alair: Hey there. Actually, I just was receiving an email response from MDC's Counsel, their Corporation Counsel, to a question I'd asked earlier and I wanted to make sure I had the answer in case that was a question. I have no formal report. We do not need an Executive Session. I'm happy to answer any questions. I would note I will not be here for your next Council meeting, so you will have Attorney Boneham as your special guest attorney for the evening.

President Cantor: Thank you, Mr. Alair. Any questions for Mr. Alair? No. Okay. No Appointments. I'm sorry?

Vice President Davidoff: 22.

President Cantor: Yes, Communications. Oh, Consent. I move that, number 22, Mr. Davidoff.

ITEM #22 - CONSENT CALENDAR ADOPTED

ITEM#14 – FROM TOWN PLAN AND ZONING RE: RESOLUTION APPROVING THE SALE OF LAND AT THE INTERSECTION OF SOUTH STREET AND SOUTHWOOD DRIVE RECOMMENDING APPROVAL

ITEM#15 – DESIGN REVIEW ADVISORY COMMITTEE 2016 ANNUAL REPORT

ITEM#16 – MINUTES FROM THE SPECIAL SERVICES DISTRICT 1-10-2017

ITEM#17 – MINUTES FROM THE COMMITTEE OF THE WHOLE 12-13-2016

ITEM#18 – MINUTES FROM PUBLIC SAFETY COMMITTEE 1-5-2017; 2-2-2017

ITEM#19 – MINUTES FROM COMMUNITY PLANNING & PHYSICAL SERVICES COMMITTEE 1-17-2017

ITEM#20 – MINUTES FROM FINANCE & BUDGET COMMITTEE 1-18-2017

ITEM#21 – MINUTES FROM HUMAN SERVICES COMMITTEE 1-19-2017

Vice President Davidoff: Thank you, Madam Mayor. I move adoption of the Consent Calendar.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. All those in favor?

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Number 23, Mr. Davidoff.

COMMUNICATIONS:

ITEM #23 - FROM BRIAN MCCARTHY (1/30/2017) RESIGNING FROM THE CONSERVATION AND ENVIRONMENT COMMISSION

Vice President Davidoff: Thank you, Madam Mayor. I move we receive from Brian McCarthy a resignation from the Conservation and Environment Commission.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. All those in favor?

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Thank you, Mr. McCarthy, for your service. No Executive Session.

RECEIVED

ITEM #25 - ADJOURNMENT

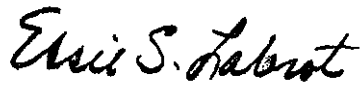
President Cantor: I make a motion that we adjourn.

Vice President Davidoff: Second.

President Cantor: Motion's been made and seconded. All those in favor?

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Have a wonderful Valentine's evening. Meeting adjourned at 8:00 P.M.



Essie S. Labrot
Town Clerk/Council Clerk

ESL/dd

APPROVED AT FEBRUARY 28, 2017 TOWN COUNCIL MEETING

ORDINANCE ESTABLISHING DEFINITIONS FOR AND PERMITTING OF
“FOOD TRUCKS AND FOOD TRUCK PARKS”

WHEREAS, food trucks have substantially grown in popularity over the past decade; and

WHEREAS, food trucks and food truck parks bring diverse options to residents and workers in areas where dining options are limited; and

WHEREAS, the Town desires to promote economic development through the encouragement of vibrant entertainment alternatives, including accommodating the popularity and growth of the food truck industry.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT:

Section One: Section 130-1 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

- A. No person shall sell or offer for sale or solicit retail orders for any goods, wares, food or other merchandise, unless such person shall have obtained a license so to do from the Chief of Police. This section shall not apply to the occupants of stores or shops, charitable bazaars or fairs or other charitable activities, to persons exempted by statute nor to any natural person under 16 years of age.
- B. No person shall utilize any portion of any public street or highway for the retail sale or display of goods, wares, food or other merchandise unless said person has obtained a permit pursuant to Subsection A of this section. No such use of the public street or highway shall be permitted to occur except in conjunction with parades, festivals, block parties and similar special public events. The prohibitions contained in this subsection shall not apply to:
 - 1) Sidewalk displays of merchandise permitted pursuant to West Hartford Code of Ordinances § 177-44.1, outdoor dining otherwise permitted pursuant to West Hartford Code of Ordinances Chapter 177, or temporary sidewalk displays of merchandise conducted by the operators of adjoining commercial establishments otherwise permitted pursuant to West Hartford Code of Ordinances Chapter 177, provided that a minimum five-foot pedestrian right-of-way remains unobstructed;
 - 2) Participants in events taking place on property owned by the Town of West Hartford and sponsored or sanctioned by it;
 - 3) Sales or displays conducted by tax-exempt nonprofit groups for fundraising purposes;

- 4) Sales [of food from motor vehicles] from any Food Truck as defined in section §177-2 of the West Hartford Code of Ordinances, provided that those motor vehicles remain stopped in any one location only long enough to serve patrons and in no event for no more than 10 minutes on any calendar day; except that on streets located entirely within a General Industrial District zone, sales from any Food Trucks shall be permitted between the hours 7 am and 10 pm on any calendar day subject to the following restrictions:
- a. All Food Trucks shall be parked pursuant to West Hartford Code of Ordinances Chapter 168, and in addition shall not be parked twenty (20) feet from an intersection and only on streets categorized as “Local” on the Connecticut Department of Transportation Functional Classification Map for the Town of West Hartford dated December 31, 2015 and as may be periodically amended.
 - b. A maximum of two (2) Food Trucks may be parked adjacent to one-another and in no case shall more than two such vehicles be permitted within five hundred (500) feet of another such vehicle or vehicles or from any building which houses a restaurant.
 - c. All Food Trucks shall be equipped with their own waste receptacles for use by its customers and under no circumstances shall any waste associated with the vehicle be disposed of in a public waste receptacle. Any waste left on the ground or in the area around the vehicle must be removed prior to vacating the parking spot.
 - d. The use of temporary signs including portable signs or banners mounted on the Food Trucks are strictly prohibited.
 - e. The placement of any tables or chairs outside of the Food Truck is strictly prohibited.
 - f. The use of loudspeakers for projecting either voice or music is strictly prohibited.
 - g. The license application to operate a Food Truck within the Public Right of Way must be accompanied by a map showing the proposed parking location or locations.
- 5) Temporary obstructions of the street right-of-way permitted pursuant to West Hartford Code of Ordinances § 155-26 or the distribution of handbills permitted elsewhere within this West Hartford Code of Ordinances.

Section Two. Section 177-2 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

- A. Word usage. All words used in the present tense include the future tense; all words used in the singular include the plural, and all words used in the plural include the singular, unless the natural construction of the wording indicates otherwise.

B. Definitions. For the purpose of this chapter, certain words and terms used herein are defined as follows:

ABUT or ABUTTING -- Having a common boundary.

ADJACENT -- Near; close by. The term "adjacent" includes the meaning of the terms "abut" and "adjoin," as defined; however, it is not intended to imply any definite distance or boundary.

ADJOIN or ADJOINING -- Having a common boundary, with or without the intervention of a street. Thus the term "adjoin" includes the meaning of the term "abut," as defined.

ADULT DAY CARE CENTER – A non-residential facility in which custodial care is provided for more than twelve (12) adults, related or unrelated, who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention, where the adults are receiving said care on a regular and recurring basis during a part of the twelve-hour period between 7:00 a.m. and 7:00 p.m., for not less than three (3) and not more than twelve (12) hours. Such a facility shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, health and housing.

ADULT DAY-CARE HOME -- A nonresidential facility consisting of a private family home in which custodial care is provided for not more than six (6) adults, related or unrelated, who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention, where the adults are receiving said care on a regular and recurring basis during a part of the twelve-hour period between 7:00 a.m. and 7:00 p.m., for not less than three (3) and not more than twelve (12) hours. Such a facility shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, health and housing.

ADULT GROUP DAY-CARE FACILITY -- A nonresidential facility in which custodial care is provided for not less than seven (7) nor more than twelve (12) adults, related or unrelated, who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention, where the adults are receiving said care on a regular recurring basis during a part of the twelve-hour period between 7:00 a.m. and 7:00 p.m., for not less than three (3) and not more than twelve (12) hours. Such a facility shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, health and housing.

ALCOHOL -- For purposes of this section, this term shall be deemed to have the same meaning as it has under Chapter 545 of the Connecticut General Statutes as that chapter may be amended or recodified from time to time.

AMUSEMENT ARCADE -- A building or room, the main use of which is the storage and operation of amusement devices.

AMUSEMENT DEVICE -- Any mechanical, electric or electronic device used or designed to be operated for entertainment or as a game by the insertion of a piece of money, coin, token or other article or by paying money to have it activated. For purposes of this definition, each station of a device which provides multiple stations, each of which allows separate games to be played, shall be considered one amusement device. This definition does not include:

- (1) A jukebox.
- (2) Rides.
- (3) Bowling alleys.
- (4) A pool table.
- (5) Any device maintained within a residence for the use of the occupants thereof and their guests.
- (6) Any device, the possession or use of which is prohibited by law.

APARTMENT -- A segregated portion of an apartment house, which apartment is provided with bathroom and toilet facilities and with kitchen facilities in a kitchen or kitchen alcove.

APARTMENT HOUSE -- A building arranged, intended or designed to be occupied by three or more families living independently of each other and doing their cooking upon the premises or by three or more individuals or groups of individuals living independently but having a common heating system and a general dining room.

BASE FLOOD -- A flood having a one-percent chance of being equaled or exceeded in any given year.

BEER -- For purposes of this section, this term shall be deemed to have the same meaning as it has under Chapter 545 of the Connecticut General Statutes as that chapter may be amended or recodified from time to time.

BOARDINGHOUSE -- A dwelling occupied by three or fewer persons who are lodged with or without meals, in which there are provided such services as are incidental to its use as a residence for the occupants and for which compensation is paid, either directly or indirectly.

BUILDING -- Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or chattel.

BUILDING, ACCESSORY -- A subordinate building, the use of which is customarily incidental to that of a main building on the same lot.

BUILDING COVERAGE -- That percentage of total lot area covered by the combined area of all buildings on the lot.

BUILDING LINE -- A line on a lot or parcel of land establishing the minimum setback for structures from a street line. Building line may or may not be coterminous with a street line. In the case of a rear lot, the building line shall be established parallel to the front lot line.

BUILDING, MAIN -- A building in which is conducted the main or principal use of the lot on which said building is situated.

BUILDING PERMIT -- A permit issued by the Building Inspector upon application, certifying that a proposed land use or structure, or any extension or structural alteration thereof, conforms with the requirements of this chapter and all other regulations or codes which are specified in the building permit.

CAR WASH FACILITY -- A commercial establishment for the washing of vehicles, whether performed by automated or manual means.

CHILD DAY-CARE CENTER -- A facility as defined pursuant to Subsection (a)(1) of C.G.S. § 19a-77, as amended, which offers or provides a program of supplementary care to more than 12 related or unrelated children outside of their own homes on a regular basis for a part of the 24 hours in one or more days in the week, which is licensed by the State of Connecticut pursuant C.G.S. § 19a-80, as may be amended, and which complies with all state and local zoning, building, fire and housing code requirements.

CLUB -- An organization catering exclusively to members and their guests, provided that the purpose of the club is not conducted primarily for gain and that there are not conducted any commercial activities, except as required generally for the membership and purposes of this club.

COMMERCIAL MOTOR VEHICLE -- A commercial motor vehicle shall include any vehicle registered for the transportation of merchandise or freight or of employees of the registrant, which is propelled or drawn by any power other than muscular, except such as run only on rails or tracks. Such registrations include but are not limited to commercial, combination, repair, transport, heavy-duty trailer or construction equipment, public service and/or commercial truck, tractor and/or semitrailer.

CONVALESCENT HOME -- A home for the aged or any establishment, other than hospitals, where three or more persons suffering from or afflicted with or convalescing from any infirmity, disease or ailment are habitually kept, boarded or housed for remuneration.

COURT -- A horizontal open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by opposite walls of one or more buildings.

DRIVEWAY -- Any vehicular travelway serving not more than two contiguous lots.

DWELLING -- A building designed and used exclusively as living quarters for one or more families. The terms "dwelling," "attached dwelling," "detached dwelling" and "dwelling unit" shall not be deemed to include hotel, motel, boarding- or rooming house, convalescent or nursing home, mobile home trailer, tourist home or tent. In the case of buildings having two or more portions divided by party walls forming a complete separation above the basement, each such portion shall be considered to be a separate dwelling.

DWELLING, ATTACHED -- A dwelling having any portion of a wall in common with another dwelling.

DWELLING, DETACHED -- A dwelling with open spaces on all sides.

DWELLING, MULTIFAMILY -- A dwelling containing more than one dwelling unit.

DWELLING, ONE-FAMILY -- A dwelling containing one dwelling unit only.

DWELLING UNIT -- A dwelling or portion thereof providing complete housekeeping facilities for one family only.

FAMILY -- Any number of individuals related by blood or legal adoption or by marriage, living and cooking together on the premises as a single housekeeping unit. Customary domestic servants or foster children are an adjunct to the term "family." However, when three or fewer individuals not related by blood or marriage do live and cook together on the premises as a single housekeeping unit, such individuals, exclusive of domestic servants, may be considered a family, provided that a permit for such housekeeping unit has been issued by the Zoning Enforcement Officer to the owner of the property, which permit may be revoked if ordinances or regulations or laws of the Town relating to health, noise, parking or litter shall be violated in the occupancy of the premises. Application for such permit shall be made annually, and the permit shall show the names of the persons constituting the proposed family unit.

FAMILY DAY-CARE HOME -- A facility as defined pursuant to Subsection (a)(3) of C.G.S. § 19a-77, as may be amended, which consists of a private family home caring for not more than six children, including the provider's own children not in school full time, where the children are cared for not fewer than three nor more than 12 hours during a twenty-four-hour period and where care is given on a regularly recurring basis and which has been licensed by the State of Connecticut pursuant to C.G.S. § 19a-87b, as amended. Such a facility shall be maintained as the operator's main residence and shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, health and housing.

FLOOD HAZARD BOUNDARY MAP -- An official map of a community, issued by the Federal Insurance Administrator, where the boundaries of the flood and mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M and/or E.

FLOODPROOFING -- Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOOR AREA RATIO -- The ratio of the total gross area of all buildings on one lot to the total area of the lot. (The floor area ratio of a building of 4,000 square feet on a lot of 10,000 square feet will be expressed as "FAR equals 0.4.")

FOOD TRUCK - A vehicle establishment that is designed to be readily moveable and from which food is prepared, sold or served. The term includes, but is not limited to, a commercially manufactured vehicle. Commercially-manufactured vehicle means a vehicle that was originally manufactured for the use as a mobile food preparation vehicle.

FOOD TRUCK PARK, PRIMARY USE – A permanently established area designed to accommodate up to five (5) food trucks and offering food and/or beverages for sale to the public as the primary use of the property; functioning as a single business.

FRONTAGE -- A one-dimensional line, measured at the front lot line.

GOLF COURSE RESTAURANT -- A restaurant, defined pursuant to this section of the Code, which is located on the same parcel of land as a golf course.

GRADE, FINISHED -- The completed surfaces of lawns, walks and roads brought to grades as shown on official plans or designs relating thereto.

GROSS FLOOR AREA -- The sum of the horizontal area of all floors of a building, measured by exterior dimensions.

GROUND COVER -- A medium used in a confined area to check or prohibit the growth of undesirable plant materials. Ground cover may consist of plants, such as pachysandra and myrtle, or of materials, such as white gravel, brick or stone pavings.

GROUP-CARE FACILITY -- A supervised residence facility which houses not fewer than six persons who are handicapped, aged or disabled or in need of rehabilitation but are not acutely ill and are provided services to meet their needs. It does not include an institution as defined in C.G.S. § 19a-490 and required to be licensed pursuant to the provisions of C.G.S. § 19a-490 et seq.

GROUP DAY-CARE HOME -- A facility, as defined pursuant to Subsection (a)(2) of C.G.S. § 19a-77, as amended, which offers or provides a program of supplementary care to not fewer than seven nor more than 12 related or unrelated children on a regular basis for a part of the 24 hours in one or more days in the week, which is licensed by the State of Connecticut pursuant to C.G.S. § 19a-80, as may be amended, and which complies with all state and local zoning, building, fire and housing code requirements.

HANDICAPPED RAMP -- An inclined structure installed for the primary purpose of allowing ingress to and egress from a building by a disabled person and constructed in accordance with applicable ANSI standards for handicapped ramps.

HEDGE -- A hedge shall provide complete visual screening and consist of evergreens at least four feet in height at the time of planting, and it shall be maintained at a height of at least six feet.

HEIGHT OF BUILDING -- The vertical distance to the level of the highest point of a flat roof or, if the roof is of any other shape, to the mean level between the eaves and the highest point of the roof, measured from the average level of the finished grade along the exterior walls of the building.

HOME FOR THE AGED -- An establishment, other than a hospital, which furnishes, for remuneration, food, shelter, laundry and other nonmedical services to three or more persons over the age of 60 years.

HOME OCCUPATION -- An accessory use conducted within a dwelling unit by the person who occupies the dwelling unit as his or her principal residence, which use is clearly secondary to the use of the dwelling unit for living purposes. As used herein, the term "dwelling unit" shall be defined as the same building and unit of occupancy in which the person conducting the business resides. A home occupation may not be conducted in an accessory building or a unit of occupancy in a multifamily dwelling other than the unit in which the person conducting the home occupation resides. Home occupations shall comply with either the performance standards established in § 177-49C(1), as amended, or § 177-49C(4), as amended.

HOSPITAL -- Any establishment for the diagnosis, treatment or other care of human ailments.

HOTEL -- A building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building. The term "hotel" shall be deemed to include the term "motel."

INTERMEDIATE-CARE FACILITY -- A facility which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designed to provide but who, because of mental or physical conditions, require care and services which can be made available to them only through institutional facilities.

JUNKYARD -- Includes motor vehicle junk business and motor vehicle junkyard, as defined in the General Statutes of the State of Connecticut; any place of storage or deposit, whether in conjunction with a business or not, for two or more unregistered, inoperable, used motor vehicles; and any place of storage or deposit of used parts of motor vehicles and old metals, iron, glass, paper, cordage and other waste materials which, on any lot, have an aggregate bulk equal to one automobile.

KENNEL -- The keeping of three or more dogs over the age of six months.

LANDSCAPING or LANDSCAPED -- That an area shall be at least covered with grass or ground cover. Any additional planting is either specifically required by this chapter or left to the discretion of the property owner.

LOT -- A parcel of land, not divided by streets, devoted or to be devoted to a particular use or occupied or to be occupied by a building and its accessory buildings together, and having adequate access so that a permit for a building or land use could be issued in accordance with this chapter. A lot may or may not be the land shown as a single lot on a duly recorded map.

LOT AREA -- The total horizontal area within the lot lines, except that no portion of the lot which is less than 25 feet wide shall be counted as lot area, and, in the case of a rear lot, the private right-of-way leading to the lot shall not be counted as lot area.

LOT DEPTH -- The mean horizontal distance between the front and rear lot lines, measured in the general direction of the side lot lines. In determining the required depth of a lot, any portion of said lot which is in excess of the minimum lot area need not be included.

LOT LINE -- The property lines bounding a lot as defined herein. In the case of a rear lot, the lot lines shall not include, for any purpose, the lines bounding the right-of-way or the fee title area which is used to provide access to the lot from the street.

LOT LINE, FRONT -- In the case of a lot abutting upon only one street, the line separating the lot from the street. In the case of a rear lot, the front lot line shall be designated as the longest lot line abutting the private driveway which provides access to the lot, and in no case shall this line be less than 40 feet in length. In the case of any other lot, the owner shall, for the purpose of this chapter, have the privilege of electing any street lot line as the front lot line.

LOT LINE, REAR -- The lot line which is generally opposite the front lot line; if the rear lot line is less than 10 feet in length or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front line, not less than 10 feet long, lying wholly within the lot and farthest from the front line.

LOT LINE REVISION -- An adjustment or reallocation of property between two or more lots or parcels of land which does not create a new lot or parcel of land and which is not subject to Chapter A184, Subdivision Regulations, of the Code of the Town of West Hartford.

LOT LINE, SIDE -- Any lot line which is not a front lot line or a rear lot line, as defined herein.

LOT, REAR -- A lot on which the buildable area is located generally to the rear of other lots having access to the same street or streets as said lot and having access to the street via a private driveway serving no more than two lots, of at least 12 feet in width if serving one lot or 18 feet in width if serving two lots. Such driveway may be laid upon property owned in fee simple by the owner of the rear lot or upon an easement or right-of-way provided for access and utility purposes, which property, easement or right-of-way shall be at least 18 feet where a twelve-foot driveway is required and 24 feet where an eighteen-foot driveway is required. The standards for minimum lot area per dwelling unit shall be 1 1/2 times that established for other lots in the same zone, and the standards for side yards shall be two times that established for other lots in the same zone. In addition to the findings required by § 177-42 of this chapter, the Town Plan and Zoning Commission shall, when reviewing an application for a special use permit for a rear lot, find that there is adequate drainage for the access driveway, as certified by the Director of the Department of Community Services.

LOT SPLIT -- A division of an existing lot, whether developed or not, into two lots, unless such division is subject to Chapter A184, Subdivision Regulations, of the Code of the Town of West Hartford or requires a special use permit.

LOT WIDTH -- The horizontal distance, measured at right angles and in the center of the depth of the lot. In determining the required width of the lot, any portion of the lot which is in excess of the minimum lot area need not be included. The required lot width shall not include any area of the driveway which is used to provide access to a rear lot from the street.

MAIN BUILDING -- See "building, main."

MAIN USE -- See "use, main."

MEDICAL MARIJUANA DISPENSARY FACILITY - A place of business where medical marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility license under Public Act 12-155 and Sections 21a-408 of the Regulations of Connecticut State Agencies.

MEDICAL MARIJUANA PRODUCTION FACILITY - A secure, indoor facility where the production of medical marijuana occurs and that is operated by a person to whom the Connecticut Department of Consumer Protection has issued a producer license under Public Act 12-155 and Sections 21a-408 of the Regulations of Connecticut State Agencies.

MONUMENT or STATUE -- A permanent monument or statue commemorating a notable person, group or event deemed by the Council to be of significance to the community, excluding, however, any burial or sarcophagus.

MOTOR VEHICLE -- Any vehicle which is propelled or drawn by any power other than muscular, suitable for the conveyance, drawing or other transportation of persons or property, whether operated on wheels, runners, cushion of air between it and the surface or by any other means, except those used exclusively upon tracks.

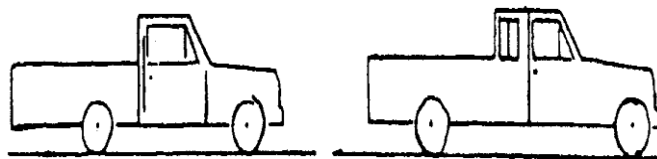
NONCONFORMING USE -- A use of land or a structure which does not conform to the regulations of the use district in which it is located and which was a lawful use at the time this chapter or any amendment thereto became effective.

NURSING HOME -- See "convalescent home."

OPPOSITE WALL -- For the purpose of defining the term "court," walls shall be deemed "opposite" wherever the projection of one wall falls on another wall.

OWNER OF RECORD -- Wherever used in conjunction with a public hearing or public notice, the owner whose name is recorded in the street books of the Department of Assessment at the time when the mailing lists for said hearings and notices are prepared.

PICKUP TRUCK -- A four-wheeled motor vehicle with a chassis length comparable to a passenger motor vehicle, which has an open body with low sides. When the body of the pickup truck is enclosed by a removable cap, the height of which does not exceed the height of the cab, it is within this definition. (See illustrations below.)



Pickup Truck With Cap



PLAN OF DEVELOPMENT -- The plan of development referred to in Chapter XIII, Sections 4 and 5, of the Town Charter, as adopted and amended.

PLANT SALE -- The sale, by charitable and philanthropic organizations, of small plants, potted in a soil medium. "Plant sale" does not include the sale of Christmas trees, greens and decorations; and the sale of trees, shrubs and plants in containers over six inches in diameter; and the sale of sod.

PORCH -- An open, unenclosed extension from a structure, usually serving as part of the entrance; may be large enough for relaxation on outdoor furniture and most often has its own roof rather than a part of the main structure roof.

PORTICO -- An open colonnade space at the front of the building forming an entrance, with the roof supported on at least one side by columns.

RESTAURANTS WITH OR WITHOUT ALCOHOLIC DRINK AND OTHER ESTABLISHMENTS SERVING FOOD AND NONALCOHOLIC DRINK -- "Restaurant" means a space in a suitable and permanent building kept, used, maintained, advertised and held out to and known by the public as primarily a food-service establishment where hot meals are regularly served. If alcoholic drink is served in any restaurant, it shall be as an adjunct to the primary function of serving food and operate under a restaurant liquor permit as provided in C.G.S. § 30-22, as amended, and comply with all Liquor Control Commission regulations appertaining thereto. The sale of alcohol or spirits by the bottle to a patron or patrons shall be prohibited. Sales of wine or beer by the bottle to a patron or patrons shall be permitted pursuant to Town Ordinance or Chapter 545 of the Connecticut General Statutes. "Restaurant" also includes other establishments serving food and nonalcoholic drink in an enclosed structure, providing seats for its customers whether at a counter or at separate tables. Restaurants shall be open during regularly posted hours which are clearly marked and shall have no regular and recurring unusual barriers to entry such as cover charges or age restrictions. Except as provided in § 177-6C, Item 11 and Item 17, as amended by ordinance of June 25, 1991, outdoor service, drive-up, window-counter service and curbside service is prohibited. Any type of service of food and drink intended for consumption on the premises outside of the enclosed structure is prohibited, except as provided in § 177-6C, Item 16.

RETAIL FIREARM STORE -- A space in a suitable building, with necessary licenses or permits pursuant to any requirements of state or federal law, used, maintained, advertised and/or held out to the public to be a place from which firearms, including but not limited to machine guns, rifles, shotguns, pistols, revolvers or other similar devices which are permitted to be sold at retail by state and federal law and which are capable of discharging by any force bullets, cartridges, balls or other projectiles or explosive devices, are sold.

SCREENING FENCE or SCREENING WALL -- Devices for complete visual screening. They shall be at least six feet in height and 3/4 solid.

SIGN -- Any device for visual communication which is used for the purpose of bringing the subject thereof to the attention of the public, including the devices displayed within three feet behind windows and visible from outside of the building. Merchandise or facsimile merchandise shall not be considered a sign.

SIGN, GROUND -- Any sign affixed to the ground by its own support and/or foundation.

SIGN, MOVABLE -- Any sign used or intended to be used in different locations.

SIGN PERMIT -- Same as a building permit.

SPIRITS -- For purposes of this section, this term shall be deemed to have the same meaning as it has under Chapter 545 of the Connecticut General Statutes as that chapter may be amended or recodified from time to time.

STORY -- That portion of a building which is between the surface of a floor and the surface of the next floor above or, in its absence, the next ceiling above. A basement shall be counted as a story if the ceiling is more than five feet above the level from which the height of the building is measured or if it is used for business or residential purposes by other than a janitor or watchman.

STREET -- Any vehicular travelway, exclusive of driveways serving not more than two contiguous lots. An approved street is any street whose location has been approved by official action of the Plan and Zoning Commission. An accepted street is any street which has become public by virtue of official acceptance by the Town Council.

STREET LINE -- A line separating a parcel of land from a street.

STRUCTURE -- Anything constructed or erected, including a building, the use of which requires location on or under the ground or attachment to something having location on the ground.

SUBSTANTIAL IMPROVEMENT -- Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

TAG SALE (commonly referred to as "GARAGE SALE" or "YARD SALE") -- The sale of used household or personal items, by the resident of the dwelling unit. "Tag sale" does not include the sale of items purchased or obtained for the purpose of resale.

TOWN DEVELOPMENT PLAN -- Same as "plan of development."

TREES, FLOWERING -- Trees, such as dogwood, redbud or crabapple.

TREES, LARGE -- Deciduous shade trees, such as sugar maple, red oak or London plane, and conifers, such as white pine, Austrian pine or Canadian hemlock. Three-fourths of the required large trees shall be at least 2 1/2 to three inches in caliper at the time of planting and 1/4 shall be at least four to 4 1/2 inches in caliper at the time of planting.

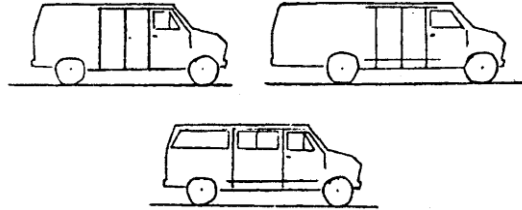
UNIT OF OCCUPANCY -- Any structure or part thereof that is intended to be or is used to house one family, business, industry or corporate entity for the purpose of carrying out the business appurtenant thereto.

USE, ACCESSORY -- A use customarily incidental and subordinate to a main use and located on the same lot with such main use.

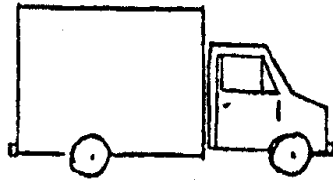
USE, MAIN -- The specific purpose for which land, water or a structure is designed, arranged or intended or for which it is or may be occupied or maintained.

VAN -- A box-shaped four-wheeled motor vehicle designed to carry up to 15 passengers or to carry light merchandise or freight. A motor vehicle designed to permit an average-sized adult to stand upright inside it is not a van. Thus, motor vehicles, such as those commonly called "walk-in vans" or "step-up vans," are not included within this definition. (See illustrations below.)

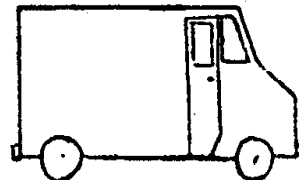
Vans



Step-Up or Walk-In



Vans



VEHICLE-INTENSIVE BUSINESS -- A business, the primary purpose of which is to provide services to the public involving vehicles or mechanical equipment off the business premises, such as transport, hauling, common freight carriers or construction, but which involves the parking of said vehicles on the business premises during nonbusiness hours. Examples of such businesses include but are not limited to bus or other private commercial business vehicle fleet yards, such as taxicab companies, parcel delivery services or freight hauling companies, construction companies, refuse haulers and furniture moving companies. "Vehicle-intensive business" shall not include agencies limited to the rental of passenger automobiles or passenger vans but shall include enterprises solely in the business of renting or leasing commercial vehicles, such as trucks or trailers and/or other mechanical equipment.

VERANDA -- An open, unenclosed porch or portico along the front and side of a building; usually covered by a roof for protection from weather.

VERANDA LINE -- A line on a lot or parcel of land establishing the minimum setback for porches or verandas from the street line.

VISUAL SCREENING, COMPLETE -- A type of screening which affords a year-round effect and through which the screened object is obscured.

VISUAL SCREENING, PARTIAL -- A type of screening through which the screened object is partially visible.

WAITING POSITION -- A space in a line of approach nine feet wide by 20 feet long.

WINE -- For purposes of this section, this term shall be deemed to have the same meaning as it has under Chapter 545 of the Connecticut General Statutes as that chapter may be amended or recodified from time to time.

YARD -- An open space on the same lot with a structure, which lies between said structure and the nearest lot line and which is unoccupied except as may be specifically authorized in this chapter. In measuring a yard, as hereafter provided, the "line of structure" shall be deemed to mean a line parallel to the nearest lot line, drawn from a point of a structure nearest to such lot line. Such measurement shall be taken at a right angle from the line of the structure, as defined herein, to the nearest lot line.

YARD, FRONT -- A yard extending across the full width and/or length of the lot and lying between the front lot line and the nearest line of a structure.

YARD, REAR -- A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the building.

YARD, SIDE -- A yard between the side line of a lot and the nearest line of the building and extending from the front yard to the rear yard or, in the absence of either such yards, to the front or rear lot line as the case may be.

ZONING PERMIT -- A permit issued upon application, certifying that a proposed land use, or any extension or alteration thereof, conforms to the requirements of this chapter.

Section Three: Section 177-6 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

- A. No structure shall be used, erected or expanded, and no land use shall be established or expanded, except in accordance with this chapter. The schedules contained in this article list permitted uses of land and buildings and the maximum height of buildings, the required yards, open space, area of lots and other requirements for the various districts in this chapter.
- B. Schedule of Permitted Main Uses.
- C. Schedule of Permitted Accessory Uses.
- D. Standards for the One-Family Residence Districts.
- E. Standards for Multifamily Residence Districts.
- F. Standards for Business Districts.
- G. Standards for Industrial Districts.

Section Four: Section 177-37.4 of the West Hartford Code of Ordinances is hereby added as follows:

(New) 177-37.4. Food Truck Parks

Food truck parks can provide a unique setting for the service of food in areas that have historically not been serviced by a concentration of traditional restaurants. Food truck parks can serve as vibrant public spaces where a variety of activities take place, but where the primary function is the sale and consumption of food from a diverse array of vendors. While the operation of food truck parks should contribute to the liveliness and vibrancy of the community, they must not be allowed to create a nuisance, either by loud music, unruly customers, or disorderly premises. Where food truck parks will further these goals without unduly impacting upon adjoining businesses or residential neighborhoods, they may be permitted as a main use subject to the following requirements:

A. Space Definition and Location

- 1) The area of the food truck park must be clearly defined and separated from the patron parking area through the installation of a fence or other enclosure which maintains an open appearance and is a maximum of five (5) feet in height.
- 2) The parking area for the food trucks must be either a paved or gravel surface.
- 3) Food truck park operators are encouraged to provide for an aesthetically-pleasing environment which includes shade and seating elements in addition to pervious groundcover.
- 4) Food truck parks may have a pavilion or other permanent structure in order to provide shelter for patrons and operators provided said structure meets the setback requirements for the underlying zone. All temporary structures such as tents shall be prohibited.

B. Operations

- 1) All food truck parks must be handicap accessible.
- 2) All food trucks planned to be on site on any given day shall be parked and fully set up prior to the park opening to the public. At the close of business, all such vehicles shall be removed from the park. If a commissary is provided on-site and the food truck is approved to use the site's commissary, then the food truck will not have to be removed from the site each day.
- 3) The hours of operation for a food truck park shall be limited to 10:00 a.m. to 11:00 p.m. Food trucks may arrive at the park one hour prior to opening to the public and must vacate the park no later than one hour after closing to the public unless the vehicle is permitted to stay as noted above.
- 4) There must be a designated manager of the site that is responsible for the orderly setup of food trucks, the cleanliness of the site, and the site's compliance with all rules and regulations during business hours. Contact information for the designated manager shall be made available to Town staff upon approval of the park by the Town Plan and Zoning Commission and as needed thereafter if personnel changes.

- 5) At least two (2) permanent restrooms within two hundred (200) feet of each food truck must be made accessible to Food Truck Park patrons while the Food Truck Park is open.
- 6) Patron parking must be provided at a rate of two (2) spaces per food truck and one (1) space for every three (3) seats in any seating area provided. The patron parking area must be a paved or gravel surface.
- 7) The food truck park must comply with all local noise regulations pursuant to West Hartford Code of Ordinances Chapter 123.
- 8) Public address systems or other systems intended to convey verbal messages through the use of amplified sound shall be prohibited. If an applicant seeking approval of a food truck park proposes to provide any form of music for the benefit of patrons, it shall so state in its application and shall provide the Plan and Zoning Commission with specific details regarding the manner in which music is to be provided. The Plan and Zoning Commission may impose any restrictions upon the playing of music which it deems to be appropriate given the location of the food truck park or any other circumstances that the Commission deems to be relevant.
- 9) No heaters may be installed or used without the prior approval of the Plan and Zoning Commission. If an applicant seeking approval of a food truck park proposes to provide any source of heat for the benefit of patrons, it shall so state in its application and shall provide the Plan and Zoning Commission with a plan, approved by the Fire Marshal, for the placement and operation of said heaters as well as for the storage of fuel used by said heaters.
- 10) Lighting shall be limited to that level which is necessary to illuminate the food truck park for patrons and staff. Flashing/blinking lights shall be prohibited. In all cases, lighting must comply with section §177-25 of the West Harford Code of Ordinances
- 11) Signs: One on-premise sign is permitted at the entrance(s) identifying the Food Truck Park subject to the sign regulations for the applicable zoning district. Each food truck may have attached signage.
- 12) Maintenance: The food truck park shall be kept clear of litter, food scraps or other debris at all times. Sweeping debris or spilled materials into the gutters of public streets shall be prohibited.
- 13) At least one (1) waste receptacle shall be provided for each mobile food vending vehicle and shall be emptied whenever full and at park closing. The food truck park shall also be equipped with a large commercial dumpster where bags from individual waste receptacles can be deposited into. The commercial dumpster shall be located outside of the designated patron area and shall be appropriately screened.

14) Tables, chairs and umbrellas shall be of durable commercial-grade materials, sufficiently weighted to avoid displacement by wind.

15) Umbrellas may be used to shade tables, provided that the drip edge thereof is located at least seven feet above the ground and further provided that they shall not be used to advertise any business, product or service.

C. Distance and Screening Requirements

1) Any food truck park shall be located at least 1500 feet from any other food truck park measured as a radius from any point around the property line.

2) Food truck parks shall be at least 200 feet from any residentially zoned property. If the food truck park is located between 200 and 500 feet from a residentially zoned property, Type C screening shall be required along the property line(s) closest to said property. A food truck park that is adjacent to commercially zoned property on which a residential use is present, Type C screening shall be required along the property line(s) immediately adjacent to said property.

3) Food truck parks shall be located at least 500 feet away from any restaurant, measured along the street line unless said building is located on the same property as the food truck park and where the restaurant proprietors are complicit in the operation of the food truck park.

Proposed additions are underlined; proposed deletions are in brackets.

VanWinkle
(2/14/17)

Approved as to form and legality.

Corporation Counsel

Town of West Hartford
Schedule of Permitted Accessory Uses

	One-Family Residence Districts							Multi-Family Residence Districts								Business Districts								Industrial Districts			
Permitted Accessory Uses	R-80	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-2	RM-1	RM-MS	RCO and RM/O	RO	RP	BOL ¹	BO	RI	BN	BND	BS	BC & CBDH	BG	IP	IE	IR	IG
1. Keeping of not more than 3 nontransient roomers or boarders in any dwelling unit	P	P	P	P	P	P		P	P	P	P	P	P	P	P		P	P	P	P		P					
1A. Keeping of not more than 3 nontransient roomers or boarders in any dwelling unit for which a family permit for a housekeeping unit composed of three (3) or fewer individuals not related by blood or marriage as specified in §177-2 of this chapter is issued	A	A	A	A	A	A		A	A	A	A	A	A	A	A		A	A	A	A		A					
																	No restrictions on commercial vehicles										
2. Private garage for motor vehicles	X	X	X	X	X	X		X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
3. Off-street parking and loading facilities for:																											
(a) Motor vehicles							X									X	X	X	X	X	X	X	X	X	X	X	X
(b) Motor vehicles bearing current Connecticut passenger registration	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X												
(c) Either 1 van or 1 pickup truck per dwelling unit	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X												
(d) Not more than 2 unregistered motor vehicles																X	X	X	X		X	X	X	X	X	X	X
(e) Not more than 1 unregistered motor vehicle	X	X	X	X	X	X		X	X	X	X	X	X	X	X												
4. Parish house, parsonage, church schoolrooms	A	A	A	A	A	A		A	A	A	A	A	A	A	A		A	A	A	A	A	A	A				

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P = Permitted use subject to issuance of a building and/or zoning permit.
X = Permitted accessory use subject to the same permits and review procedures as the main use to which it is an accessory.
Not marked = Not a permitted use in the particular zoning district.

NOTES:
¹For detailed use regulations in the BOL District, see § 177-7.

Permitted Accessory Uses	One-Family Residence Districts							Multi-Family Residence Districts								Business Districts								Industrial Districts			
	R-80	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-2	RM-1	RM-MS	RCO and RM/O	RO	RP	BOL ¹	BO	RI	BN	BND	BS	BC & CBDH	BG	IP	IE	IR	IG
5. Signs as specified in §177-33	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
6. Swimming pools, provided that they meet the requirements set forth by ordinance	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
7. Noncommercial greenhouse, boathouse, fallout shelter	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X
8. As an incidental part of the conduct of a retail business, manufacturing and packaging of articles to be sold at retail on the premises, provided that not more than 50% of the floor space occupied by such retail business is devoted to such manufacturing and packing use																		P	P	P	P	P				P	P
9. Any accessory building or use, except that an accessory use of not more than 3 days’ duration for any 1 event for a charitable or philanthropic purpose or for a seasonal farmers’ market on the premises of a commercial or industrial use, place of worship, school or college, library or museum, religious institution, park or recreational facility and private nonprofit membership club is permitted as a “P” use. Customary accessory uses for such charitable or philanthropic purposes shall include but are not limited to rummage sales, bazaars, fairs and plant sales. Tag sales of no more than 3 days’ duration and no more than 2 times in a calendar year shall be permitted accessory use to a residence.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
10. Amusement devices, as specified in §177-31 and licensed under §§3-11 through 3-16 of the West Hartford Code ²																			X	X	X	X	X	X	X	X	X

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NOTES:

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²Editor’s Note: Secs. 3-11 through 3-16 of the 1972 Code were repealed 5/25/82.

Permitted Accessory Uses	One-Family Residence Districts							Multi-Family Residence Districts								Business Districts								Industrial Districts			
	R-80	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-2	RM-1	RM-MS	RCO and RM/O	RO	RP	BOL ¹	BO	RI	BN	BND	BS	BC & CBDH	BG	IP	IE	IR	IG
11. Service of food and beverages by waiters or waitresses at customers’ tables outside of the enclosed restaurant on the premises of an existing restaurant.	A	A	A	A	A	A	²	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
12. Family day-care home	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13. Retail firearms store																					X	X	X				
14. Circular driveway, as specified in §177-32E(13)	X	X	X																								
15. Child day-care center operating before and after regular school hours only if accessory to an existing public, private or parochial school or college which is the main use on the site	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
16. Drive-up window-counter service at restaurants																										X	X
17. Provision of temporary seasonal outdoor dining on the premises of an existing restaurant which does not sell alcoholic beverages, provided that there are no more than 4 tables, with 4 chairs per table. Location of outdoor furniture shall not obstruct the pedestrian right-of-way or emergency access.							²												P	P	P	P	P	P	P	P	P

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NOTES:

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²See § 177-3D(6).

Permitted Accessory Uses	One-Family Residence Districts							Multi-Family Residence Districts								Business Districts								Industrial Districts			
	R-80	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-2	RM-1	RM-MS	RCO and RM?O	RO	RP	BOL ¹	BO	RI	BN	BND	BS	BC & CBDH	BG	IP	IE	IR	IG
18. Temporary seasonal outdoor sale of green grocer products, i.e., fresh fruits, vegetables, as well as hot or cold fresh or prepared foods and home garden plants and flowers, as an accessory use to an existing food store/food market, provided that the display area stand is not located in a required parking or driveway area. Location of any product display stand shall not obstruct the pedestrian right-of-way and shall not obstruct building or sight egress, emergency access or create site obstructions to vehicular traffic.																			P	P	P	P	P	P	P	P	P
19. Car wash facilities																							A	B	B	B	B
20. Drive-up window dispensing only prescription medications at retail pharmacies provided that a surveillance system meeting the requirements of the Chief of Police is operating during the hours of business.																							A				
21. Adult Day-Care Center	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A			A				
22. Adult Group Day-care Facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A			A				
23. Adult Day-Care Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A			A				
24. Kennel	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A		A		A	A	B			B	B
25. Closed Loop Geothermal Systems and Solar Energy Systems permitted as accessory uses pursuant to §177-37.3	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
26. Fuel cells permitted as accessory uses pursuant to §177-37.3	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	X	X	X	X	X	X	X	X	X	X	X
27. Food Truck, permitted as an accessory use within the parking area of an existing business provided that the location does not interfere with the safe circulation of vehicular and pedestrian traffic. No more than two (2) food trucks shall be permitted on any one property at the same time and shall not be permitted within five hundred (500) feet of any building which houses a restaurant. Sales from any food truck shall be permitted between the hours 7 am and 10 pm on any calendar day and shall be limited to not more than three (3) days per week.																										P	

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Schedule of Permitted Main Uses

	One-Family Residence Districts							Multi-Family Residence Districts									Business Districts								Industrial Districts			
Permitted Main Uses	R-80	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-3R	RM-2	RM-1	RO	RM-MS	RCO and RM/O	RP	BOL ¹	BO	RI	BN	BND ²	BS	BC & CBDH	BG	IP	IE	IR	IG
1. One-family house, 1 per lot	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P							
2. Places of worship	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
3. Public, parochial, or private school or college	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A				
4. Nursery school, child day-care center, group day-care home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A
5. Library, museum	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A				
6. Religious institution	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A				
7. Charitable institutions for the care of the aged, homeless and handicapped, convalescent homes operated by a charitable institution (except group-care facilities)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A							
8. Public park, reservation golf course, golf course restaurant or recreation facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A			A	A
9. Private, nonprofit membership club	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A		A		A	A	A			A	A
10. Water supply and sewage disposal system and facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	B	B	B	B	B
11. Utility transmission lines and substations. (See also §§ 177-7 and 177-17.)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P

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²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.

Permitted Main Uses	One-Family Residence Districts							Multi-Family Residence Districts									Business Districts								Industrial Districts			
	R-80	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-3R	RM-2	RM-1	RO	RM-MS	RCO and RM/O	RP	BOL ¹	BO	RI	BN	BND ²	BS	BC & CBDH	BG	IP	IE	IR	IG
12. Hospital, nursing and convalescent home, intermediate-care facility, rest home with nursing supervision and home for the aged (except group-care facilities)								A	A	A	A	A	A	A	A	A		A	A	A								
13. Governmental and municipal use	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	B			B	B
14. Farm use, provided that storage of manure and other dust- or odor-producing substance is so located and confined that odor and dust will not reach beyond the limits of the property	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P												
15. Nurseries and greenhouses, including sales area— goods pertinent thereto	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		B		B	B			B			B	B
16. Multifamily dwellings, except that a lot with 3 or fewer dwelling units shall not require site plan approval								B	B		B	B	B	B	B	B		B		B	B		B	B			B	B
16A. Multifamily dwellings restricted to 2 dwelling units per lot shall not require site plan approval.								P	P	P	P	P	P	P	P			P		P	P		P					
17. Parking of motor vehicles on the ground or within or on a structure																B		B		B	B	B	B	B	B	B	B	B
18. Office building for professional use													B				B	B		B	B	B	B	B	B	B	B	B
19. Office building for general business and professional use																	B	B		B	B	B	B	B	B	B	B	B

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20. Research laboratories																	B	B		B	B	B	B	B	B	B	B	B	B
21. Bank, including drive-in facilities																		B		B	B	B	B	B	B	B	B	B	B
22. Retail business dealing with the consumer on the premises, except retail firearms stores																				B	B	B	B	B	B	B	B	B	B
23. Establishment performing personal services																				B	B	B	B	B	B	B	B	B	B
24. Restaurants with or without alcoholic drink and other establishments serving food and nonalcoholic drink																				B	B	B	B	B	B	B	B	B	B
25. Hotel, motel																						B	B	B			B	B	
26. Funeral home																				B	B	B	B	B			B	B	
27. Cemetery	A	A	A	A	A	A	A	A	A	A	A	A	A	A														A	
28. Crematorium	A	A	A	A	A	A	A																	A			A	A	
29. Outdoor recreation area operated for profit																								A			A	A	
30. Theater and other indoor recreation or amusement facility, excluding amusement arcades																						A	A	A			A	A	
31. Telephone exchange, electric substation and other public utility use																		B			B	B	B	B			B	B	
32. Radio and television studio																						B	B	B			B	B	

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33. Radio and television broadcasting	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	B	B	B	B	B
34. Motor vehicle sales, service and repair and gasoline service stations, excluding car wash facilities																							B			B	B	
35. Wholesale business and storage warehouse use																							B	B	B	B	B	
36. Printing																							B			B	B	
37. Any industrial or manufacturing use, including fabrication, converting, processing, altering, assembly or other handling of products, provided that such use does not emit dust, odor, gas, fumes, noise, glare or vibration beyond the boundaries of the district in which it is located																							B	B	B	B	B	
38. Outdoor storage of material and equipment other than junkyards, provided that such use does not emit dust, odor, gas, fumes, noise, glare or vibration beyond the boundaries of the district in which it is located																								B	B	B	B	
39. Contractor’s yard																											B	B
40. Junkyard																											A	A
41. Railroad terminal and yard																								B	B	B	B	

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42. Veterinary Facility	A	A	A	A	A	A		A	A	A	A	A	A	A	A		A	A	A	A	A	A	B	B	B	B	B	B
43. Kennel																		A		A		A	A	B			B	B
44. Group-care facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A							
45. Monuments or statutes on public land	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
46. Retail firearms stores																											B	B
47. Vehicle-intensive business																									A	A	A	A
48. Passenger automobile rental agency																								B	B	B	B	B
49. One-family house, 1 per lot on rear lot	A	A	A	A	A	A	A																					
50. Certain professional offices, defined pursuant to §177-16.3 (first floor only)															A													
51. Adult-oriented establishments																								A			A	A
52. Car Wash Facilities																								A	B	B	B	B
53. Adult Day-Care Center																								A				
54. Adult Group Day-care Facility																				A	A	A	A	A				
55. Medical Marijuana Production Facility																												A
56. Medical Marijuana Dispensary Facility																												A
57. Alternative Energy Systems permitted as main uses pursuant to § 177-37.3																									B	B	B	B
58. Manufacturing of Alcoholic Liquor, including retail sales where permitted by Connecticut law ³																									B	B	B	B
59. Food Truck Park as specified in § 177-37.4.																												<u>A</u>

KEY:

A = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42A.

B = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42B.

C = Permitted use subject to approval of Town Council pursuant to § 177-42B and subject to § 177-42B.

P = Permitted use subject to issuance of a building and/or zoning permit.

Not marked = Not a permitted use in the particular zoning district.

NOTES:

¹For detailed use regulations in the BOL District, see § 177-7.

²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.

³For detailed use regulations see § 177-36D.